

Applic. No.: 10/768,885

Amdt. Dated January 9, 2006

Reply to Office action of October 7, 2005

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-16 remain in the application. Claims 1 and 13-14 have been amended.

In item 2 on pages 2-9 of the above-mentioned Office action, claims 1-6 and 8-13 have been rejected as being anticipated by Alperovich et al. (US 5,924,041) under 35 U.S.C. § 102(b).

In item 5 on pages 9-12 of the above-mentioned Office action, claims 7 and 14-16 have been rejected as being unpatentable over Alperovich et al. in view of Reed et al. (US 2003/0134648 A1) under 35 U.S.C. § 103(a).

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references. However, the language of claims 1 and 13-14 has been modified in an effort to even more clearly define the invention of the instant application. More specifically, the language has been modified to clearly recite that the central network element does not belong to any individual networks of the subscribers.

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Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, inter alia:

receiving, in a central network element, an inquiry from the location-based service concerning an identity of the subscribers from different networks in the limited geographic area, the central network element not belonging to any individual network.

Claim 13 calls for, inter alia:

transmitting an inquiry from a location-based service to a central network element concerning an identity of the subscribers from different networks in the limited geographic area, the central network element not belonging to any individual network.

Claim 14 calls for, inter alia:

said central network element not belonging to any individual network.

Alperovich et al. describe a "dispatch system" in a cellular radiotelephone system. Figs. 1-3 of Alperovich et al. show the structure of a mobile radiotelephone network and describe the functionality of the network including the localization of subscribers belonging to the network itself. This already constitutes the first big difference because the invention of the instant application provides a central unit to monitor subscribers from different networks, which are located in a specific geographic area. Otherwise a general interface would

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not even be necessary; rather, each network operator could simply apply the data (particularly subscriber identification data) already available to him in the existing network elements (HLR, VLR) (See column 3, line 12 and the following: "each of the mobile switching centers in the network can communicate with all other mobile switching centers...").

Furthermore, in Alperovich et al. the subscribers of a group to be addressed are already designated, for instance through a common "dispatch number" (see column 5, line 60 and the following) or through an entry in the HLR (see column 6, line 8 and the following and Fig. 5, reference numeral 240). It is also possible to limit the subscribers to those in a specific region by the information in the HLR since a corresponding notation exists (see column 6, lines 52-54: "which are currently serviced by the mobile switching center 110 service area 100 located near...").

The invention of the instant application relates to a central network element which does not belong to a single wireless network but rather provides interfaces over which the individual networks can call up the respective location data for subscribers while maintaining data protection such that only the location information which is really needed in order to provide the location based service is accessible.

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The other cited references do not make up for the deficiencies of Alperovich et al.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 and 13-14. Claims 1 and 13-14 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claims 1 or 14, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-16 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to 37 CFR Sections 1.16 and 1.17 to

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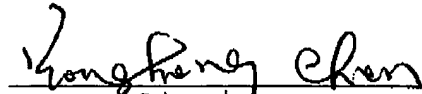
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the Deposit Account of Lerner and Greenberg, P.A., No. 12-  
1099.

Respectfully submitted,

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